

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

KNL CONSTRUCTION, INC.,)	
)	
Plaintiff and Counterclaim Defendant,)	
)	
v.)	Case No. 14-03184-CV-S-DPR
)	
KILLIAN CONSTRUCTION CO., INC.,)	
)	
Defendant and Counterclaim Plaintiff.)	

ORDER

This matter comes before the Court on Killian Construction Co., Inc.'s ("Killian") Motion for Extension of Scheduling Order Deadlines and Trial Setting. (Doc. 114.) Killian requests an extension of time due to its understanding of the Court's order staying the scheduling order deadlines and because its consultant has not completed its damages calculation.

The Court notes that KNL Construction, Inc.'s ("KNL") pleadings have been stricken, the Clerk has entered Default against KNL, and KNL is not represented by Counsel in this matter. The Court also notes the Orders regarding the stay and Rule 55(b) motion could have resulted in a misunderstanding regarding the continuing obligations under the scheduling order. Accordingly, the Court finds that good cause exists to extend the scheduling order and trial setting and hereby amends the Amended Scheduling Order, (Doc. 85), as follows:

A pretrial conference is set for **Tuesday, December 13, 2016 at 2 p.m.**, before the undersigned in the United States Courthouse, 222 North John Q. Hammons Parkway, Springfield, Missouri.

As KNL's pleadings have been stricken and default has been entered against KNL, this matter is set for a bench trial on the issue of Killian's damages on **Monday, December 19, 2016**

at 9 a.m. before the undersigned in the United States Courthouse, 222 North John Q. Hammons Parkway, Springfield, Missouri. The Court has set aside two (2) day for the trial on damages. If the parties expect the trial to last more than two (2) day, they should inform the Court.

A copy of this Order shall be mailed via regular and certified mail to the last known address(es) of KNL.

IT IS SO ORDERED.

/s/ David P. Rush
DAVID P. RUSH
UNITED STATES MAGISTRATE JUDGE

DATE: August 18, 2016